

### REMARKS

Claims 1-20 were presented for examination, are pending and are rejected.

Reconsideration is respectfully requested.

#### Objections to the Specification

The Abstract has been amended as required by the Examiner.

The Specification has been amended to provide antecedent basis for claims 9, 15 and 20.

Therefore the objections should be withdrawn.

#### The 35 U.S.C. § 102 Rejections

Claims 1, 4 and 5 are rejected under 35 USC 102(e) as being anticipated by Mearini et al. The rejection is respectfully traversed.

The reference describes a process for reducing the roughness of various layers deposited onto a near atomically smooth substrate. It uses ion beam deposition to reduce high spatial frequency roughness. See, e.g., column 2, line 53 through column 3, line 62. The present claim 1 recites a method for the mitigation of a topological defect of a substrate, comprising: providing a substrate with a topological defect; depositing at least one layer of amorphous material onto said substrate; and planarizing with an ion beam said at least one layer of amorphous

material to mitigate said topological defect of said substrate. Claims 4 and 5 depend from claim 1. Therefore the rejection should be withdrawn.

Claims 1-8, 10, 14 and 16-19 are rejected under 35 USC 102(e) as being anticipated by Murakami et al. The rejection is respectfully traversed.

Unlike the present claims 1 and 16, the reference does not teach the mitigation of a topological defect of a substrate. The reference teaches smoothing the interface between successive layers of a multilayer. It uses ion beam deposition to reduce high spatial frequency roughness. Therefore the rejection of claims 1 and 16 should be withdrawn. Claims 2-8, 10 and 14 depend from claim 1. Claims 17-19 depend from claim 16. Therefore the rejection should be withdrawn.

Claims 1-8, 10, 14 and 16-19 are rejected under 35 USC 102(e) as being anticipated by Yakshin et al. The rejection is respectfully traversed.

Unlike the present claims 1 and 16, the reference does not teach the mitigation of a topological defect of a substrate. The reference uses ion beam deposition to reduce high spatial frequency roughness. The reference teaches smoothing individual coatings on a substrate. Therefore the rejection of claims 1 and 16 should be withdrawn. Claims 2-8, 10 and 14 depend from claim 1. Claims 17-19 depend from claim 16. Therefore the rejection should be withdrawn.

### The 35 U.S.C. § 103 Rejections

Claims 6 and 15 are rejected as being unpatentable over Mearini et al. The rejection is respectfully traversed.

Claims 6 and 15 depend from claim 1, which should be allowable over Mearini et al. as discussed above. Therefore the rejection should be withdrawn.

Claims 7, 16 and 18 are rejected as being unpatentable over Mearini et al. in view of Lu et al. and Fairbairn et al. The rejection is respectfully traversed.

Unlike the present claim 1, none of the references provide a method that mitigates the topological defects of a substrate. Lu et al. controls the polarization properties in a ring laser. Fairbairn et al. improves the properties of carbon films. The rejection of claim 7 should be withdrawn because it depends from claim 1. Unlike the present claim 16, none of the references provide an EUV reticle that has a topological defect, the reticle including planarized amorphous layers. The rejection of claim 18 should be withdrawn because it depends from claim 16. Therefore the rejection should be withdrawn.

Claim 14 is rejected as being unpatentable over Mearini et al. in view of Schmidt et al. The rejection is respectfully traversed.

Claim 14 should be allowable because it depends from claim 1 as discussed above. Therefore the rejection should be withdrawn.

Claims 1-8, 10, 14 and 16-19 are rejected as being obvious over Murakami et al. The rejection is respectfully traversed.

Unlike the present claims 1 and 16, the reference does not teach the mitigation of a topological defect of a substrate. The reference teaches smoothing the interface between successive layers of a multilayer. Therefore the rejection of claims 1 and 16 should be withdrawn. Claims 2-8, 10 and 14 depend from claim 1. Claims 17-19 depend from claim 16. Therefore the rejection should be withdrawn.

Claims 9, 13 and 20 are rejected as being obvious over Murakami et al. in view of Hawryluk. The rejection is respectfully traversed.

Note that Hawryluk uses thin films to change the shape of a surface with a thin film on a large scale. The rejection of claims 9 and 13 should be withdrawn because they depend from claim 1, which should be allowable as discussed above. The rejection of claim 20 should be withdrawn because it depends from claim 16, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claim 11 is rejected as being obvious over Murakami et al. in view of Mirkarimi et al. The rejection is respectfully traversed.

Mirkarimi et al. is the only reference cited by the Examiner that has any relevance to the present invention because it does mitigate a substrate defect; however, it accomplishes the purpose in a completely different way. In Mirkarimi et al., a multilayer film is used as a buffer layer to minimize the size of defects on a reticle

substrate prior to deposition of a reflective coating on the substrate. The multilayer buffer layer deposited intermediate the reticle substrate and the reflective coating produces a smoothing of small particles and other defects on the reticle substrate. The reduction in defect size is controlled by surface relaxation during the buffer layer growth process and by the degree of intermixing and volume contraction of the materials at the multilayer interfaces.

The rejection of claim 11 should be withdrawn because it depends from claim 1, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claim 12 is rejected as being obvious over Murakami et al. in view of Knapp et al. The rejection is respectfully traversed.

Knapp et al. uses the ion beam to get better abrasion resistance. The rejection of claim 12 should be withdrawn because it depends from claim 1, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claim 15 is rejected as being obvious over Murakami et al. The rejection is respectfully traversed.

The rejection of claim 15 should be withdrawn because it depends from claim 1, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claims 1-8, 10, 14 and 16-19 are rejected as being unpatentable over Yakshin et al. The rejection is respectfully traversed.

Unlike the present claims 1 and 16, the reference does not teach the mitigation of a topological defect of a substrate. The reference teaches smoothing individual coatings on a substrate. Therefore the rejection of claims 1 and 16 should be withdrawn. Claims 2-8, 10 and 14 depend from claim 1. Claims 17-19 depend from claim 16. Therefore the rejection should be withdrawn.

Claims 9, 13 and 20 are rejected as being unpatentable over Yakshin et al. in view of Hawryluk. The rejection is respectfully traversed.

The rejection of claims 9 and 13 should be withdrawn because they depend from claim 1, which should be allowable as discussed above. The rejection of claim 20 should be withdrawn because it depends from claim 16, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claim 11 is rejected as being unpatentable over Yakshin et al. in view of Mirkarimi et al. The rejection is respectfully traversed.

The rejection of claim 11 should be withdrawn because it depends from claim 1, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claim 12 is rejected as being unpatentable over Yakshin et al. in view of Knapp et al. The rejection is respectfully traversed.

The rejection of claim 12 should be withdrawn because it depends from claim 1, which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Claims 1-4 are rejected as being unpatentable over Sasai et al. in view of Murakami et al. The rejection is respectfully traversed.

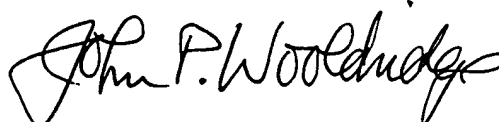
Neither reference teaches the mitigation of a topological defect of a substrate, as recited in the present claim 1. Claims 2-4 depend from claim 1. Therefore the rejection should be withdrawn.

#### Conclusions

It is submitted that this application is in condition for allowance based on claims 1-20 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please contact the undersigned at 808-875-0012.

Respectfully submitted,

A handwritten signature in black ink, reading "John P. Wooldridge". The signature is fluid and cursive, with a horizontal line drawn underneath it.

John P. Wooldridge  
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Registration No. 38,725

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